IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.5380 of 2007
Date of Decision: 20.4.2007

Gram Panchayat

Petitioner

versus

Commissioner, Ambala Division and others

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

HON'BLE MRS. JUSTICE NIRMAL YADAV

Present: Shri Ashok Khubbar, Advocate for the petitioner

Jasbir Singh, J. (Oral)

By filing this writ petition, a prayer has been made to quash order Annexure P/5 dated 14.6.2004 and order Annexure P/6 dated 10.10.2006.

It is apparent from the records that respondent No.6 filed an application under Section 7 of the Punjab Village Common Lands (Regulation) Act, 1961 (as applicable to Haryana) (in short, the Act), against respondent Nos.3 to 5, for their ejectment, by alleging that they were in unauthorized occupation of Gram Panchayat's land. The petitioner-Gram Panchayat was also arrayed as one of the respondents. By taking note of the entries made in the revenue record, the Collector, vide order Annexure P/5 ordered that it is not possible to eject the respondents, referred to above, as in the revenue record, land is shown as their ownership. The Collector also noted argument of the Gram Panchayat that, actually the Gram Panchayat was the owner, the entries in revenue record were wrong and changed without any justification, the Collector ordered that let the question of title be decide first and matter, regarding ejectment be taken up thereafter. The Commissioner, vide order Annexure P/6, upheld

the order Annexure P/5 and directed that question of title be decided under Section 13-A of the Act and for the said purpose, the parties were directed to appear before the Collector concerned. Counsel states that the proceedings are pending before the Collector. No case is made out for interference on merits. However, keeping in view facts of this case, the Collector is directed to dispose of the pending litigation in an expeditious manner, preferably within six months from the date of receipt of a certified copy of the order.

Disposed of.

(Jasbir Singh)
Judge

April 20, 2007 **(Nirmal Yadav)**
gk **Judge**